

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1298 – *Recordation and Transfer Taxes – Exemptions – Domestic Partners*.

House Bill 1298 exempts the transfer of real property between domestic partners or former domestic partners from the recordation tax and State and county transfer taxes. The bill lists qualifying circumstances and specific evidence that must be submitted to qualify for this exemption.

While I am a long-time proponent of lowering settlement costs for Maryland citizens, House Bill 1298 codifies in State statute a new relationship of domestic partners, which I believe undermines the sanctity of traditional marriage as codified by State law.

Over the past decade, the General Assembly has considered a number of bills concerning the rights of individuals who are in relationships that fall short of traditional marriage. It is inherently difficult to legally define such relationships without incurring a wide range of unintended consequences under Maryland law.

The overly broad definitions of House Bill 1298 could allow two individuals to form a self-proclaimed domestic partnership solely as a tax avoidance technique. This legislation also would create significant administrative burdens for Clerks of the Court and county finance offices to confirm existing and former relationships prior to granting the exemption.

For the above stated reasons, I have vetoed House Bill 1298.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

House Bill No. 1298

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Domestic Partners

FOR the purpose of exempting from recordation tax and State and county transfer taxes certain instruments of writing transferring property between domestic partners and former domestic partners under certain circumstances; requiring the submission of certain documents under certain circumstances to qualify for certain exemptions; defining certain terms; and generally relating to certain exemptions from recordation and transfer taxes.

BY repealing and reenacting, with amendments,
Article – Tax – Property